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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO.     |
|---|-------------|----------------------|---------------------|----------------------|
| 10/649,685  | 08/28/2003  | Hirofumi Watanabe    | Q76895              | 5665                 |
| 23373   | 7590        | 07/05/2005           | EXAMINER            |                      |
| SUGHRUE MION, PLLC<br>2100 PENNSYLVANIA AVENUE, N.W.<br>SUITE 800<br>WASHINGTON, DC 20037 |             |                      |                     | ENGLE, PATRICIA LYNN |
|   |             | ART UNIT             |                     | PAPER NUMBER         |
|   |             | 3612                 |                     |                      |

DATE MAILED: 07/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

***Election/Restrictions***

1. Newly submitted claims 1-10 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: The amended claims are claiming a subcombination of door opening/closing apparatus. The subcombination does not require the vehicle body and could therefore be used on any type of door, such as a supermarket door. The subcombination also requires elements that were not required in the originally presented combination claims.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 1-10 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

2. The amendment filed on May 6, 2005 which resulted in the withdrawal of all claims drawn to the originally elected invention and presenting only claims drawn to a non-elected invention (due to original presentation) is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because it is drawn to a different statutory invention (the subcombination of a door opening/closing apparatus).

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia L. Engle whose telephone number is (571) 272-6660.

The examiner can normally be reached on Monday - Friday from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, D. Glenn Dayoan can be reached on (571) 272-6659. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Patricia L Engle  
Primary Examiner  
Art Unit 3612

ple  
June 24, 2005